

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **GLADE H. HOWELL**

Ser. No.:

Filed:

Group Art Unit: **3763**

Examiner:

For: **VASCULAR ACCESS DEVICE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY REMARKS

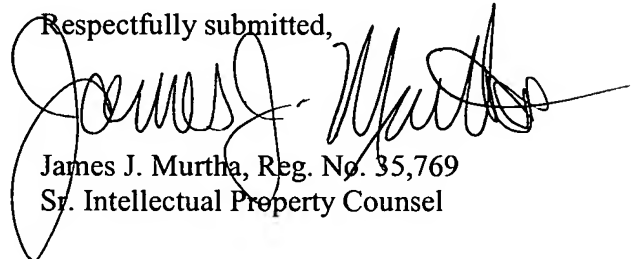
Dear Sir:

This application is a continuation of application Serial No. 10/320,274, filed December 16, 2002, which is a continuation of application Serial No. 09/819,490, filed March 28, 2001, which is a continuation of application Serial No. 09/145,449 filed September 2, 1998, now U.S. Patent 6,228,060.

The owner of the instant application is also the owner of U.S. Application 10/253,682 filed September 24, 2002 ("the '682 Application") and assigned to Examiner Ramana. The '682 Application contained claims related to a structure including, *inter alia*, to a septum having a length longer than the notch distance (that is, the distance between the proximal end of the notch and an opening in the distal end of the needle). Certain of these claims were rejected in view of U.S. Patent 6,228,060, a parent case of the instant application, either alone or in combination with U.S. Patent 5,211,634.

The currently-pending claims are believed to be patentable in view of the prior art and an indication of allowance is earnestly solicited. Should any issues remain outstanding, the Examiner is invited to call the undersigned.

Respectfully submitted,



James J. Murtha, Reg. No. 35,769
Sr. Intellectual Property Counsel

Becton Dickinson and Company
1 Becton Drive
Franklin Lakes, NJ 0741-1880
201-847-7160
#72909